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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/755,838	01/12/2004	Michael Aaron Kaply	AUS920030920US1(4033)	3273

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EXAMINER

LEA EDMONDS, LISA S

ART UNIT	PAPER NUMBER
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2835

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/755,838	Applicant(s) KAPLY ET AL.	
	Examiner Lisa Lea-Edmonds	Art Unit 2835	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 8-10, 12, 13 and 15-20 is/are rejected.
- 7) ☒ Claim(s) 6, 7, 11 and 14 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>1/12/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The information disclosure statement (IDS) submitted on 01/12/04 have been considered by the examiner.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the car dash must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

3. The claims are objected to because they include reference characters which are not enclosed within parentheses.

Reference characters corresponding to elements recited in the detailed description of the drawings and used in conjunction with the recitation of the same element or group of elements in the claims should be enclosed within parentheses so as to avoid confusion with other numbers or characters which may appear in the claims. See MPEP § 608.01(m).

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claim 19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
6. Claim 19 recites the limitation "the laptop computer" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 8-10, 12, 13, and 15-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Hawkins et al. (6442637). With respect to claims, 1-3, Hawkins et al. teaches, a removable plate having a medium, to be integral to a casing for a processor-based device to facilitate access to the medium, the removable plate comprising: a first surface (440) designed to be complementary to the casing (100) to cover a portion of the processor-based device; a second (450) surface to be covered by the first surface (440) when integrated with the casing (100), the second surface (450) being designed to face the processor-based device on the inner side of the casing (100), to provide access to the medium (400); and a coupling to couple the removable plate (400) to the casing (100), wherein the medium (480, 490) is designed to store data associated with the operation of the processor-based device, wherein the medium(480, 490) is a medium from a group of media comprising a floppy disk, a compact disk, a digital video disk, a flash memory device, a memory stick, an optical disk, and a magnetic medium as claimed, see for example figure 1A, 1B and 4A-4G. With respect to claims 8-10, 12, 13, and 15, Hawkins et al. teaches a method to couple a medium to a casing for a processor-based device, the method comprising: determining a first surface (440) of a removable plate (400) wherein the first surface (440) is complementary to the casing (100) and is manufactured to cover a portion of the processor-based device, wherein a second surface (450) of the removable plate (100) is configured to provide access to the medium (480, 490), the medium (480, 409) being capable of storing data, wherein the second surface (450) is designed to face the processor-based device on the inner side of the casing (100); and adapting the removable plate (400) to couple with the casing

Art Unit: 2835

(100), further comprising releasing the removable plate (400) and accessing the medium (480, 490) on the removable plate (400), further comprising updating the data on the medium (480, 490), wherein the second surface (450) is designed to allow the processor-based device to record data onto the medium, wherein determining a first surface (440) of a removable plate (400) comprises manufacturing the first surface (440) of the removable plate (400)., wherein determining a first surface (440) of a removable plate (400) comprises determining the removable plate (400), integral to the casing (100) to cover an opening (110) in the casing (100), wherein the dimensions of the removable plate (400) are adaptable to comprise the medium (480, 490); and creating the removable plate (400), based upon the dimensions, to be an integral portion of the casing (100), covering the opening (110). With respect claims 16 and 17 Hawkins et al. teaches a system to facilitate storage of data on a processor-based device, comprising: a casing to substantially encase the processor-based device, the casing (100) comprising an opening (110); and, a removable plate (400) having a medium (480, 490) and being designed to cover the opening (110) in the casing (100) of the processor-based device, wherein the removable plate (400) comprises a first surface (440) designed to be complementary to the casing (100) to cover a portion of the processor-based device; a second surface (450) to be covered by the first surface (440) when integrated with the casing (100), the second surface (450) being designed to face the processor-based device on the inner side of the casing (100), to provide access to the medium (480, 490); and a coupling to couple the removable plate (400) to

the casing (100), wherein the processor-based device is adapted to communicate with a data-reading device.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 4, 5, and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hawkins et al. (6442637). With respect to claim 4, Hawkins et al. teaches the invention as set for by claim 1, see the above rejection thereof. However, Hawkins et al. lacks a clear teaching of the medium including bootable system recovery software as claimed. It would have been obvious to one of ordinary skill in the art at the time the invention was made for the medium (480, 490) of Hawkins et al. to include any type of software needed by the end user. With respect to claim 5, Hawkins et al. teaches the invention as set for by claim 1, see the above rejection thereof. However, Hawkins et al. lacks a clear teaching of heat dissipation. It would have been obvious to one of ordinary skill in the art at the time the invention was made for the removable plate (400) of Hawkins et al. to incorporate a means to cool the electronic components as it is well known in the art for electronic components to fail when improperly cooled. With respect to claim 18, Hawkins et al. teaches the invention as set for by claim 16, see the above rejection thereof. However, Hawkins et al. lacks a clear teaching of the medium including medium comprises instructions to facilitate operation of the data-

reading device after a failure of the software as claimed. It would have been obvious to one of ordinary skill in the art at the time the invention was made for the medium (480, 490) of Hawkins et al. to include any type of software needed by the end user. With respect to claims 19 and 20, Hawkins et al. teaches the invention as set for by claim 16, see the above rejection thereof. However, Hawkins et al. lacks a clear teaching of the laptop computer and a cover for a car dash as claimed. It would have been obvious to one of ordinary skill in the art at the time the invention was made to place the casing anywhere needed by the end user.

Allowable Subject Matter

10. Claims 6, 7, 11, and 14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

11. The following is a statement of reasons for the indication of allowable subject matter: Hawkins et al. fails to teach or fairly suggest tab of claim 6, the rectangular compact disk of claim 7, the method steps of prompting the user to replace the removable plate, and painting a coating onto the medium of claims 11 and 14, respectively as claimed.

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Please note the teachings of the prior art listed on the enclosed PTO form 892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lisa Lea-Edmonds whose telephone number is 571-272-2043. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jayprakash N. Gandhi can be reached on (571) 272-2800, ext 35. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Lisa Lea-Edmonds
Primary Examiner
Art Unit 2835

2008-02-27

/Lisa Lea-Edmonds/
Primary Examiner, Art Unit 2835